

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.11003 OF 2016

ORDER:

The writ petition is filed questioning the proceedings dated 09.03.2016 issued by the 3rd respondent withdrawing the cheque power of the petitioner.

The principal contention raised by the learned counsel for the petitioner in the writ affidavit that the proceedings dated 09.03.2016 were issued without following the procedure as contemplated under Rule 42 as notified in the G.O.Ms.No.30 dated 20.01.1995.

Learned Government Pleader for Panchayat Raj opposes to entertain the writ petition on the ground that the petitioner had already invoked the above provision and filed an appeal before the District Collector, Chittoor. Learned Government Pleader further submits that the appellate authority may be directed to dispose of the appeal filed by the petitioner.

Having considered the respective submissions and in the facts of the present case, prima facie, the proceedings dated 09.03.2016 does not indicate that any notices having been issued to the petitioner which is mandatory under the first proviso of Rule 42 of the Rules made under the Act.

Accordingly, the writ petition is disposed of directing the 2nd respondent-District Collector to dispose of the appeal dated 15.03.2016 filed by the petitioner within a period of four weeks from the date of receipt of copy of this order. No order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

CHALLA KODANDA RAM,J

Date:06.04.2016.

Note:

Issue CC forthwith

B/o.

Gk

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.11024 OF 2016

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Date:06.04.2016

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